

**DECLARATION OF VALERIE E. ALTER**

I, Valerie E. Alter, declare as follows:

1. I am an attorney duly admitted to practice before this Court. I am an associate with SHEPPARD, MULLIN, RICHTER & HAMPTON LLP, attorneys of record for Shed Media US Inc. ("**Shed Media**"). This declaration is submitted in support of defendant Shed Media's Memorandum of Points and Authorities in Opposition to Plaintiff's Motion for Preliminary Injunction. If called as a witness, I could and would competently testify to all facts within my personal knowledge.

2. On January 1, 2010, the *New York Post* published an article titled "Wizards Gilbert Arenas and Javaris Crittenton pull pistols on each other." A true and correct copy of this article, which I obtained from the *New York Post's* publicly available website, is attached hereto as **EXHIBIT F**.

3. On January 15, 2010, the *Los Angeles Times* published an article titled "Washington's Gilbert Arenas pleases guilty to gun-related charge." A true and correct copy of this article, which I obtained from the *Los Angeles Times's* publicly available website, is attached hereto as **EXHIBIT G**.

4. On June 10, 2011, the sports blog [www.deadspin.com](http://www.deadspin.com) published an article titled "Gilbert Arenas Did Not Have Fun On His Blind Date," which describes comments that Plaintiff made about a blind date on his Twitter account. A true and correct copy of this article, which I obtained from *Deadspin's* publicly available website, is attached hereto as **EXHIBIT H**.

1                   5.       On June 10, 2011, the *Business Insider* published an article entitled  
2 "Gilbert Arenas Tweets About How Ugly Is Blind Date Is, Dares NBA To Fine Him  
3 Again," which describes comments that Plaintiff made about a blind date on his Twitter  
4 account. A true and correct copy of this article, which I obtained from *Business Insider's*  
5 publicly available website, is attached hereto as **EXHIBIT I**.

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7                   6.       On June 10, 2011, the *Orlando Sentinel* published an article entitled  
8 "Love it or hate it – that's just Giblert Arenas being his politically way-incorrect self,"  
9 which describes comments that Plaintiff made about a blind date on his Twitter account. A  
10 true and correct copy of this article, which I obtained from the *Orlando Sentinel's* publicly  
11 available website, is attached hereto as **EXHIBIT J**.

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13                  7.       On January 29, 2011, the *Chicago Sun-Times* published an article  
14 titled "Spending name of Arenas' game, report says" that provides details about Plaintiff  
15 life with Defendant Laura Govan ("**Govan**"). The first sentence of the article states,  
16 "Orlando Magic guard Gilbert Arenas' tumultuous relationship with Laura Govan has  
17 made its way into the courts." A true and correct copy of the article, which I obtained  
18 from the publicly available LexisNexis database, is attached hereto as **EXHIBIT K**.

19  
20                  8.       On February 4, 2011, the *Washington Post* published an article  
21 stating: "You already knew the breakup of Gilbert Arenas and Laura Govan was ugly. But  
22 the NBA star took it up a notch in a live radio interview Thursday, blasting his ex-fiancee  
23 for trying to 'destroy' him." A true and correct copy of the article, which I obtained from  
24 the publicly available LexisNexis database, is attached hereto as **EXHIBIT L**.

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26                  9.       On February 5, 2011, the sports blog *Deadspin* published an article  
27 titled "NBA Player Served With Child Support Papers At Halftime Of A Game" describing  
28 Govan's serving Plaintiff with child support papers during half time of a basketball game.

1 A true and correct copy of the article, which I obtained from the publicly available  
2 LexisNexis database, is attached hereto as **EXHIBIT M**.

3  
4 10. On February 10, 2011, the *Washington Post* published an article titled  
5 "Playing he-said she-said" detailing Govan's split with Plaintiff: "With Laura Govan  
6 making her split from Gilbert Arenas official with court papers (served to him courtside at  
7 an Orlando Magic game last week), a few more tantalizing details have emerged from  
8 what could be a very expensive breakup." A true and correct copy of the article, which I  
9 obtained from the publicly available LexisNexis database, is attached hereto as **EXHIBIT**  
10 **N**.

11  
12 11. Plaintiff maintains a Twitter account using the name of  
13 agentzeroshow, which can be found at <http://twitter.com/#!/agentzeroshow>. On July 22,  
14 2011, I printed a copy of Plaintiff's Twitter account collecting Plaintiff's comments from  
15 June 12, 2011 to July 22, 2011. I did not print Plaintiff's comments prior to June 12, 2011  
16 because I previously printed a copy of Plaintiff's comments from May 31, 2011 until June  
17 13, 2011 on June 13, 2011. A true and correct copy of Plaintiff's comments on his Twitter  
18 account from May 31, 2011 to June 13, 2011, which I obtained from the publicly available  
19 Twitter website on June 13, 2011, is attached hereto as **EXHIBIT O**. A true and correct  
20 copy of Plaintiff's comments on his Twitter account from June 13, 2011 to July 22, 2011,  
21 which I obtained from the publicly available Twitter website on July 22, 2011, three days  
22 before Plaintiff filed his motion, is attached hereto as **EXHIBIT P**.

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24 12. Exhibits O and P are voluminous, totaling more than 300 pages.  
25 Thus, for the Court's convenience, excerpts showing Plaintiff's more colorful commentary,  
26 including the following are attached hereto as **EXHIBIT Q**.

27  
28 agentzeroshow Gilbert A. aka Jefe

1 perfect view from the parkin lot..then i realize WERE'S the cute ones..(i guess they went to  
2 vegas) so im stuck with scooby and the crew  
31 May

3 agentzeroshow Gilbert A. aka Jefe  
4 and started driving back to orl and on the way back i thought (500 +girls in one buildin  
5 thats gonna smell like FISH FILLET SANDWICHES)  
31 May

6 agentzeroshow Gilbert A. aka Jefe  
7 i wasnt in special ED i walked by every day teasing them with my NESQUIK..ill hit the  
8 glass and say i got straw B(MMMMMMMM K)looooooooooooool  
5 Jun

9 agentzeroshow Gilbert A. aka Jefe  
10 i shouldnt get in trouble for that joke..i already pay the price in ele school..i had to ride the  
11 bus with them everyday..you know how hard  
5 Jun

12 agentzeroshow Gilbert A. aka Jefe  
13 it is too look cool riding the bus with the guy in front and in back licking the glass....okay u  
14 got me i was in special ED but im fine NOW

14 agentzeroshow Gilbert A. aka Jefe  
15 Got hooked up on a blind date..and I guess she was blind when she picked out this outfit  
16 ..OMG I thought she was the queen of ZAMUNDA  
8 Jun

17 agentzeroshow Gilbert A. aka Jefe  
18 And they want me to go in public with her..I thought she had a bunch of stretch marks but  
19 it was just her shirt..lookn like SIMBA  
8 Jun

20 agentzeroshow Gilbert A. aka Jefe  
21 Ill let u guys know what happen after this date. Should be funny!!!  
8 Jun

22 agentzeroshow Gilbert A. aka Jefe  
23 She just had the nerve to ask me if I like her shirt..."ummmmmm yea on my floor near the  
24 fire place"imma call PETA to come get you  
8 Jun

25 agentzeroshow Gilbert A. aka Jefe  
26 Look at this hot mess...she all most caught me takin the pic..  
27 <http://lockerz.com/s/108945230>  
8 Jun

28 agentzeroshow Gilbert A. aka Jefe

1 This dragon can eat....I'm glad were at a all u can eat... She went to the rest rm..I think I'm  
2 busted you guys. Her friend texted her.

8 Jun

3 agentzeroshow Gilbert A. aka Jefe

4 I don't think imma get the goods tonight...I messed my chances up..she looked mad..over  
5 there lookin like a thunder cat...

8 Jun

6 agentzeroshow Gilbert A. aka Jefe

7 If I would hav known i would mess this up I would have taken her to get a "rudy tutti fresh  
8 and fruiti meal"from ihop..grrrrrrrrrrrrrr

8 Jun

9 agentzeroshow Gilbert A. aka Jefe

10 for everybody talkin about my BM on that tv show..i dont care what she does..if she gets a  
11 job i play less money to her(SMART THINKER HERE)

26 Jun

12 agentzeroshow Gilbert A. aka Jefe

13 most players dont know that.. 1 they cant lie about u on tv u can sue the show 2 if they hav  
14 a job it lowers ur pay...so let them work

26 Jun

15 agentzeroshow Gilbert A. aka Jefe

16 trust me my name wont be said like u think remember a lady named shaunie oneal..how  
17 many times did she kill shaq...ummmmmm none.(LAWSUIT)lol

26 Jun

18 agentzeroshow Gilbert A. aka Jefe

19 so chris bosh let ur ex work the show....let them run around tellin how they USED to live  
20 and throw water in each other face...

26 Jun

21 agentzeroshow Gilbert A. aka Jefe

22 it makes me laugh..the water just messed up the weaves now there running around yelling  
23 lookin like WATER RATS..

26 Jun

24 agentzeroshow Gilbert A. aka Jefe

25 the show should be called..(i almost made it)kinda like tryin out for A team and gettn cut  
26 last..u got the practice jersey..not the real one

26 Jun

27 agentzeroshow Gilbert A. aka Jefe

28 Sumbody tell tmz.I care more about watchn ppl plank then my ex on tv.PS i almost got  
away with plankn on the luggage screener at the airport

28 Jun

agentzeroshw Gilbert A. aka Jefe  
Just finished my check list.Smell good "check"gum "check" rub one out"check"can't be  
horny walkin into a club I don't want no 10 to 2 girl  
9 Jul

agentzeroshw Gilbert A. aka Jefe  
At 10 she's a 2 after a few drinks by 2am she's a 10..I don't want those lmao  
9 Jul

agentzeroshw Gilbert A. aka Jefe  
Ladies pls do not wear sex on the first night outfits and ur just there to dance..yall confuse  
the hell outta us..  
9 Jul

13. I revisited Plaintiff's Twitter account on July 27, 2011 and I noticed that many of the comments noted above had been removed and that Plaintiff's Twitter account now only displays comments from June 2, 2011. A true and correct copy of all of the comments shown on Plaintiff's Twitter on July 27, 2011, which I obtained from the publicly available Twitter website on July 27, 2011, is attached hereto as **EXHIBIT R**.

14. My office compared Plaintiff's Twitter account as it existed on July 27, 2011 with that account as it existed on July 22, 2011 and June 13, 2011. The material removed from Plaintiff's account was not sequential or done in any other way to suggest that it was removed by an automated process. On the contrary, many of the comments noted above, as well as other comments that would have assisted Shed Media in this lawsuit were removed. A true and correct copy of the comparison that my office conducted is attached hereto as **EXHIBIT S**. All of the starred material was present on Plaintiff's Twitter account on either July 22, 2011 or June 13, 2011 and removed by July 27, 2011.

15. A true and correct copy of a photograph that Plaintiff posted of himself "planking" in the women's restroom with the caption "I know what ur thinkn..but I dropped my phone..'excuse me Ms but can u kick me my phone'hahaha"



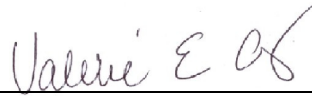
that I obtained from the publicly available website <http://lockerz.com/s/115935093> is attached hereto as **EXHIBIT T**.

16. A true and correct of Plaintiff's Twitter account showing the following photo as his Twitter thumbnail that I obtained on July 28, 2011 from the publicly available Twitter website is attached hereto as **Exhibit U**, and a true and correct copy of the image itself, that I obtained on July 28, 2011 from the publicly available website [http://a1.twimg.com/profile\\_images/1465812418/women\\_20are\\_20dicks.jpg](http://a1.twimg.com/profile_images/1465812418/women_20are_20dicks.jpg) is attached hereto as **Exhibit V**.



I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed August 2, 2011, at Los Angeles, California.

  
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Valerie E. Alter

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